



Appeal Decision

Site visit made on 9 February 2022

by M Clowes BA (Hons) MCD PGCERT (Arch con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2022

Appeal Ref: APP/Z2315/D/21/3288584

16 Higham Road, Padiham, Lancashire BB12 9AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Eugene Redmond against the decision of Burnley Borough Council.
 - The application Ref HOU/2021/0538, dated 7 September 2021, was refused by notice dated 15 October 2021.
 - The development proposed is described as proposed single storey side extension and single storey rear extension to create additional living accommodation.
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Decision

1. The appeal is dismissed insofar as it relates to the single storey rear extension. The appeal is allowed, and planning permission is granted insofar as it relates to the single storey side extension at 16 Higham Road, Padiham BB12 9AP in accordance with the terms of the application, Ref HOU/2021/0538, dated 7 September 2021, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed block site plan – PL05
Proposed floor plans – 06
Proposed elevations – 07
Proposed block site plan and roof plan – 08.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used on the existing dwelling.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the host dwelling.

Reasons

3. The appeal site consists of a detached dormer bungalow set in a large plot above the level of Higham Road. The street scene comprises individually

designed detached dwellings of varying scales and materials. It has a pleasant, verdant character enhanced by mature tree planting.

Rear Extension

4. As cited by the Council, the single storey rear extension would project approximately 9.6m beyond the original rear elevation. This would be greater than the depth of the host dwelling and therefore at odds with the original plan form. When the depth of the extension is combined with the flat roof, it would result in an extension with a large scale and mass that would not be subordinate to the host dwelling. As the eaves height would be above those on the existing rear elevation, it would result in an awkward relationship that would emphasise the dominance of the extension.
5. Notwithstanding that modern design may be supported in principle, Policy HS5 of the Burnley Local Plan (2018) is clear that extensions should respect the architectural characteristics, scale and detailing of host dwellings. In this case, the obviously contemporary elevational treatment would clash with, and fail to reflect the architectural characteristics of the host dwelling. In particular, the vertically proportioned windows and expanses of glazing would conflict with the horizontally proportioned dwelling. Whilst the existing dormer windows have flat roofs, they are of a significantly different scale and subordinate size, such that they are not comparable to the form of the rear extension.
6. Although I saw that the rear extension would not be overtly visible from Barrowford Road (A6068) due to mature landscaping along the rear boundary, policies HS5 and SP5 of the Local Plan (2018) do not require development to be publicly visible to be harmful to the character and appearance of the dwelling or wider area. Likewise, the fact that the extension would not affect the occupiers of neighbouring properties, does not justify development that would not be visually sympathetic to the host dwelling.
7. Reference has been made to other developments in the locality which are considered relevant to this appeal. However, the new and replacement dwellings at 7, 10 and 14 Higham Road are a different form of development. The rear extension to No 14 varies from the proposed extension in its form, eaves height and depth of projection. The examples cited are not therefore comparable to the development before me.

Side Extension

8. A single storey extension is proposed to the side (north-eastern) elevation of the dwelling, which would be visible from Higham Road. The design and scale of the extension including a dual pitched roof, matching eaves height and complementary materials would harmonise with the host property. The set back behind the front elevation and set down of the roof would also render the extension subordinate. As a result, I agree with the Council that the side extension would not cause harm to the character and appearance of the dwelling or wider area. As the extension is physically and functionally severable from the proposed rear extension, it is capable of being built independently and a split decision would be appropriate in this instance.
9. I conclude that the rear extension would have a harmful effect upon the character and appearance of the dwelling. It would therefore conflict with Policies SP5 and HS5 of the Burnley Local Plan (2018) which amongst other

things, seek to ensure high standards of design and that domestic extensions are subordinate and respect the architectural characteristics of the host dwelling. The proposed side extension would be small-scale in nature and reflect the character of the host dwelling. Consequently, it would accord with Policies SP5 and HS5 of the Local Plan and paragraph 130 of the National Planning Policy Framework (the Framework), which seeks to ensure developments are visually attractive and sympathetic to the local area.

Other Matters

10. I note the appellants desire for more ground floor accommodation. However, I am not persuaded that this proposal is the only way of achieving additional living space.
11. Reference is made to a fallback position of the erection of an 8m rear extension without planning permission. However, there is no evidence before me to suggest that there is a reasonable likelihood that the appellant would implement these permitted development rights, were I minded to dismiss the appeal. In any event, the proposed development would project significantly further from the rear elevation of the dwelling than the suggested 8m extension. Consequently, the fallback position would be considerably different and the degree of harm less than the proposal before me. These matters do not affect my overall findings.

Conditions

12. In respect of the single storey side extension, I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance and the Framework. Along with the standard time limit, conditions are imposed to require the use of matching materials in the interests of consistency of appearance and to list the plans in the interest of certainty.

Conclusion

13. For the reasons given above, I conclude that the appeal should succeed in relation to the single storey side extension. However, in relation to the single storey rear extension, the appeal should be dismissed.

M Clowes

INSPECTOR